

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD)(SN)
---	-----------------------

This document relates to:

Jessica DeRubbio, et al. v. Islamic Republic of Iran, No. 1:18-cv-05306 (GBD) (SN)
Audrey Ades, et al. v. Islamic Republic of Iran, No. 1:18-cv-07306 (GBD) (SN)
Chang Don Kim, et al. v. Islamic Republic of Iran, No. 1:18-cv-11870 (GBD) (SN)
Marinella Hemenway, et al. v. Islamic Republic of Iran, No. 1:18-cv-12277 (GBD) (SN)
Matthew Rowenhorst, et al. v. Islamic Republic of Iran, No. 1:18-cv-12387 (GBD) (SN)
BNY Mellon, et al. v. Islamic Republic of Iran, No. 1:19-cv-11767 (GBD) (SN)
Ber Barry Aron, et al. v. Islamic Republic of Iran, No. 1:20-cv-09376 (GBD) (SN)
Jeanmarie Hargrave, et al. v. Islamic Republic of Iran, No. 1:20-cv-09387 (GBD) (SN)
Paul Asaro, et al. v. Islamic Republic of Iran, No. 1:20-cv-10460 (GBD) (SN)
Michael Bianco, et al. v. Islamic Republic of Iran, No. 1:20-cv-10902 (GBD) (SN)

**[PROPOSED] ORDER OF PARTIAL FINAL DEFAULT JUDGMENTS IN THE
ABOVE-CAPTIONED MATTERS ON BEHALF OF THE PLAINTIFFS IDENTIFIED
IN EXHIBITS A AND EXHIBITS B**

Upon consideration of the evidence and arguments submitted by Plaintiffs identified in Exhibits A and Exhibits B to this Order, Plaintiffs in the above-captioned matters, who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of a victim killed in the terrorist attacks on September 11, 2001 as specifically identified in annexed Exhibits A-1 to A-9 (collectively, “Exhibits A”), or the estate of an individual who was killed in the terrorist attacks on September 11, 2001 as specifically identified in annexed Exhibits B-1 to B-7 (collectively, “Exhibits B”), and the judgment by default for liability only against Defendant Islamic Republic of Iran (“Iran”) entered or sought as follows:

CASE NAME	CASE NO.	DATE MOTION FOR LIABILITY WAS FILED	ECF NO. FOR MOTION FOR LIABILITY THAT WAS FILED	DATE MOTION FOR LIABILITY WAS GRANTED	ECF NO. FOR MOTION FOR LIABILITY THAT WAS GRANTED
<i>Jessica DeRubbio, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-05306 (GBD) (SN)	05/03/2019	ECF No. 4508	05/28/2019	ECF No. 4563
<i>Marinella Hemenway, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-12277 (GBD) (SN)	08/14/2019	ECF No. 4856	09/03/2019	ECF No. 5054
<i>Matthew Rowenhorst, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-12387 (GBD) (SN)	08/14/2019	ECF No. 4860	09/03/2019	ECF No. 5053
<i>Chang Don Kim, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-11870 (GBD) (SN)	08/14/2019	ECF No. 4841	09/03/2019	ECF No. 5049
<i>Audrey Ades, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-07306 (GBD) (SN)	05/23/2019	ECF No. 4546	06/21/2019	ECF No. 4594
<i>BNY Mellon, et al. v. Islamic Republic of Iran</i>	No. 1:19-cv-11767 (GBD) (SN)	11/12/2021	ECF No. 7329	01/04/2022	ECF No. 7522
<i>Michael Bianco, et al. v. Islamic Republic of Iran</i>	No. 1:20-cv-10902 (GBD) (SN)	11/12/2021	ECF No. 7329	01/04/2022	ECF No. 7522
<i>Paul Asaro, et al. v. Islamic Republic of Iran</i>	No. 1:20-cv-10460 (GBD)	11/12/2021	ECF No. 7329	01/04/2022	ECF No. 7522

	(SN)				
<i>Ber Barry Aron, et al. v. Islamic Republic of Iran</i>	No. 1:20-cv-09376 (GBD) (SN)	11/12/2021	ECF No. 7329	01/04/2022	ECF No. 7522
<i>Jeanmarie Hargrave, et al. v. Islamic Republic of Iran</i>	1:20-cv-09387 (GBD) (SN)	11/12/2021	ECF No. 7329	01/04/2022	ECF No. 7522

; together with the entire record in this case; IT IS HEREBY

ORDERED that service of process in the above-captioned matters was effected upon Iran in accordance with 28 U.S.C. § 1608(a) for sovereign defendants and 28 U.S.C. § 1608(b) for agencies and instrumentalities of sovereign defendants;¹ and it is further

ORDERED that partial final judgment is entered against Iran on behalf of the Plaintiffs in the above-captioned matters, as identified in the attached Exhibits A, who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of an individual killed in the terrorist attacks on September 11, 2001, as indicated in the attached Exhibits A; and it is further

ORDERED that Plaintiffs identified in the attached Exhibits A are awarded solatium damages of \$12,500,000 per spouse, \$8,500,000 per parent, \$8,500,000 per child, and \$4,250,000 per sibling, as set forth in the attached Exhibits A; and it is further

ORDERED that partial final judgment is entered against Iran on behalf of the Plaintiffs in the above-captioned matters, as identified in the attached Exhibits B, who are each the estate of a victim of the terrorist attacks on September 11, 2001, as indicated in the attached Exhibits B; and it is further

¹ This only applies for the plaintiffs in this motion in the above-referenced 2018 matters.

ORDERED that Plaintiffs identified in the attached Exhibits B are awarded compensatory damages for decedents' pain and suffering in an amount of \$2,000,000 per estate, as set forth in the attached Exhibits B; and it is further

ORDERED that the Plaintiff identified in the expert report submitted in support of the Declaration of Jerry S. Goldman, Esq. ("Goldman Declaration") (and identified in Exhibits B), is awarded economic damages as set forth in the attached Exhibits B and as supported by the expert report and analysis tendered in conjunction with the Goldman Declaration; and it is further

ORDERED that the Plaintiffs identified in the attached Exhibits A and Exhibits B are awarded prejudgment interest of 4.96 percent per annum, compounded annually, running from September 11, 2001 until the date of judgment; and it is further

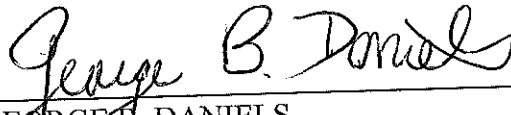
ORDERED that the Plaintiffs identified in the attached Exhibits A and Exhibits B may submit an application for punitive damages, economic damages, or other damages (to the extent such awards have not previously been ordered) at a later date consistent with any future rulings made by this Court on this issue; and it is further

ORDERED that the remaining Plaintiffs in the above-captioned matters not appearing in the attached Exhibits A and Exhibits B may submit in later stages applications for damages awards, and to the extent they are for solatium damages or by estates for compensatory damages or for decedents' pain and suffering from the September 11th attacks, they will be approved consistent with those approved herein for the Plaintiffs appearing in the attached Exhibits A and Exhibits B.

Furthermore, the Court respectfully directs the Clerk of the Court to terminate the motions at ECF No. 7571, Case No. 03-md-1570; ECF No. 203, Case No. 18-cv-05306; ECF No. 145, Case No. 18-cv-07306; ECF No. 150, Case No. 18-cv-11870; ECF No. 161, Case No. 18-cv-12277; ECF No. 152, Case No. 18-cv-12387; ECF No. 85, Case No. 19-cv-11767; ECF

No. 83, Case No. 20-cv-09376; ECF No. 78, Case No. 20-cv-09387; ECF No. 79, Case No. 20-cv-10460; ECF No. 67, Case No. 20-cv-10902.

SO ORDERED:



GEORGE B. DANIELS
United States District Judge

Dated: New York, New York

July 19 2022
JUL 19 2022

EXHIBITS A

Ex. A-1

Jessica DeRubbio, et al. v. Islamic Republic of Iran, No. 1:18-cv-05306 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	PLAINTIFF First Name	PLAINTIFF Middle Name	PLAINTIFF Last Name	PLAINTIFF Suffix	Relationship to 9/11 Decedent	SOLATIUM DAMAGES AMOUNT
1	Julie	M.	Geis	Mary		Buss		Sibling	\$4,250,000.00
2	Julie	M.	Geis	Betty		Geis		Parent (Deceased)	\$8,500,000.00

\$12,750,000.00**TOTAL**

Ex. A-2

Audrey Ades, et al. v. Islamic Republic of Iran, No. 1:18-cv-07306 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	PLAINTIFF First Name	PLAINTIFF Middle Name	PLAINTIFF Last Name	PLAINTIFF Suffix	Relationship to 9/11 Decedent	SOLATIUM DAMAGES AMOUNT
1.	Alva	Cynthia	Jeffries Sanchez	Alfred		Jeffries	Jr.	Sibling	\$4,250,000.00
2.	Kevin		Frawley	Theresa	M.	Conklin		Parent (Deceased)	\$8,500,000.00

\$12,750,000.00**TOTAL**

Ex. A-3

Chang Don Kim, et al. v. Islamic Republic of Iran, No. 1:18-cv-11870 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	PLAINTIFF First Name	PLAINTIFF Middle Name	PLAINTIFF Last Name	PLAINTIFF Suffix	Relationship to 9/11 Decedent	SOLATIUM DAMAGES AMOUNT
1.	Catherine	K.	Fagan	Jeffrey		Fagan		Child	\$8,500,000.00
2.	Catherine	K.	Fagan	James		Fagan		Child	\$8,500,000.00

TOTAL**\$17,000,000.00**

Ex. A-4

Marinella Hemenway, et al. v. Islamic Republic of Iran, No. 1:18-cv-12277 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	PLAINTIFF First Name	PLAINTIFF Middle Name	PLAINTIFF Last Name	PLAINTIFF Suffix	Relationship to 9/11 Decedent	SOLATIUM DAMAGES AMOUNT
1.	William	A.	Mathesen	Kathleen		Mathesen		Spouse	\$12,500,000.00
2.	William	A.	Mathesen	Emily		Mathesen		Child	\$8,500,000.00
3.	Nurul		Miah	Rokshana		Miah		Sibling	\$4,250,000.00
4.	Nurul		Miah	Nur	M.	Miah		Sibling	\$4,250,000.00
5.	Peter	Allen	Nelson	Iris		Nelson		Spouse (Deceased)	\$12,500,000.00
6.	Peter	Allen	Nelson	Jamie	Lee	Nelson		Child	\$8,500,000.00
7.	Peter	Allen	Nelson	Lyndsi	Ann	Nelson		Child	\$8,500,000.00

TOTAL**\$59,000,000.00**

Ex. A-5

Matthew Rowenhorst, et al. v. Islamic Republic of Iran, No. 1:18-cv-12387 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	PLAINTIFF First Name	PLAINTIFF Middle Name	PLAINTIFF Last Name	PLAINTIFF Suffix	Relationship to 9/11 Decedent	SOLATIUM DAMAGES AMOUNT
1.	Edward	Veld	Rowenhorst	Daniel		Rowenhorst		Sibling	\$4,250,000.00
2.	Edward	Veld	Rowenhorst	Robin	Marie	Davis		Sibling	\$4,250,000.00
3.	Michael		Russo	Theresa		Russo-Kempf		Spouse	\$12,500,000.00
4.	Michael		Russo	Michael	Thomas	Russo	Jr.	Child	\$8,500,000.00

TOTAL**\$29,500,000.00**

Ex. A-6

Bar Barry Aron, et al. v. Islamic Republic of Iran, No. 1:20-cv-09376 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	PLAINTIFF First Name	PLAINTIFF Middle Name	PLAINTIFF Last Name	PLAINTIFF Suffix	Relationship to 9/11 Decedent	SOLATIUM DAMAGES AMOUNT
1.	Calvin		Dawson	Charles		Dawson		Sibling	\$4,250,000.00
2.	Carl	Martin	Flickinger	Louise		Flickinger		Parent (Deceased)	\$8,500,000.00

TOTAL

\$12,750,000.00

Ex. A-7

Jeanmarie Hargrave, et al. v. Islamic Republic of Iran, No. 1:20-cv-09387 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	PLAINTIFF First Name	PLAINTIFF Middle Name	PLAINTIFF Last Name	PLAINTIFF Suffix	Relationship to 9/11 Decedent	SOLATIUM DAMAGES AMOUNT
1.	William	Edward	Micciulli	Colleen		Micciulli-Foley		Spouse	\$12,500,000.00
2.	William	Edward	Micciulli	Emily		Micciulli		Child	\$8,500,000.00
3.	William	Edward	Micciulli	Sara		Micciulli		Child	\$8,500,000.00

\$29,500,000.00**TOTAL**

Ex. A-8

Paul Asaro, et al. v. Islamic Republic of Iran, No. 1:20-cv-10460 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	PLAINTIFF First Name	PLAINTIFF Middle Name	PLAINTIFF Last Name	PLAINTIFF Suffix	Relationship to 9/11 Decedent	SOLATIUM DAMAGES AMOUNT
1.	Khamladi	Khami	Singh	Roshan	Ramesh	Singh		Sibling (Deceased)	\$4,250,000.00
2.	Roshan	Ramesh	Singh	Khamladi	Khami	Singh		Sibling (Deceased)	\$4,250,000.00

\$8,500,000.00

TOTAL

Ex. A-9

Michael Bianco, et al. v. Islamic Republic of Iran, No. 1:20-cv-10902 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	PLAINTIFF First Name	PLAINTIFF Middle Name	PLAINTIFF Last Name	PLAINTIFF Suffix	Relationship to 9/11 Decedent	SOLATIUM DAMAGES AMOUNT
1.	Catherine	K.	Fagan	Dorothy		Swick		Sibling	\$4,250,000.00

\$4,250,000.00**TOTAL**

EXHIBITS B

Ex. B-1

Chang Don Kim, et al. v. Islamic Republic of Iran, No. 1:18-cv-11870 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	Suffix Name	Economic Damage Amount	Non-Economic Damage Amount	TOTAL Damage Amount
1.	Lawrence	Don	Kim		\$2,876,924.00	\$2,000,000.00	\$4,876,924.00

TOTALS

\$2,876,924.00	\$2,000,000.00	\$4,876,924.00
----------------	----------------	-----------------------

Ex. B-2

Marinella Hemenway, et al. v. Islamic Republic of Iran, No. 1:18-cv-12277 (GBD) (SN))

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	Suffix Name	Economic Damage Amount	Non-Economic Damage Amount	TOTAL Damage Amount
1.	William	A.	Mathesen			\$2,000,000.00	\$2,000,000.00
2.	Peter	A.	Nelson			\$2,000,000.00	\$2,000,000.00

TOTALS

\$4,000,000.00 \$4,000,000.00

Ex. B-3

Matthew Rowenhorst, et al. v. Islamic Republic of Iran, No. 1:18-cv-12387 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	Suffix Name	Economic Damage Amount	Non-Economic Damage Amount	TOTAL Damage Amount
1.	Michael		Russo			\$2,000,000.00	\$2,000,000.00

TOTALS

\$2,000,000.00 \$2,000,000.00

Ex. B-4

BNY Mellon, et al. v. Islamic Republic of Iran, No. 1:19-cv-11767 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	Suffix Name	Economic Damage Amount	Non-Economic Damage Amount	TOTAL Damage Amount
1.	Janice	Juloise	Brown			\$2,000,000.00	\$2,000,000.00

TOTALS

						\$2,000,000.00	\$2,000,000.00
--	--	--	--	--	--	----------------	----------------

Ex. B-5

Jeanmarie Hargrave, et al. v. Islamic Republic of Iran, No. 1:20-cv-09387 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	Suffix Name	Economic Damage Amount	Non-Economic Damage Amount	TOTAL Damage Amount
1.	William	Edward	Micciulli			\$2,000,000.00	\$2,000,000.00

TOTALS

\$2,000,000.00 \$2,000,000.00

Ex. B-6

Paul Asaro, et al. v. Islamic Republic of Iran, No. 1:20-cv-10460 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	Suffix Name	Economic Damage Amount	Non-Economic Damage Amount	TOTAL Damage Amount
1.	Khamladai	Khami	Singh			\$2,000,000.00	\$2,000,000.00
2.	Roshan	Ramesh	Singh			\$2,000,000.00	\$2,000,000.00

TOTALS

\$4,000,000.00 \$4,000,000.00

Ex. B-7

Michael Bianco, et al. v. Islamic Republic of Iran, No. 1:20-cv-10902 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

	DECEDENT First Name	DECEDENT Middle Name	DECEDENT Last Name	Suffix Name	Economic Damage Amount	Non-Economic Damage Amount	TOTAL Damage Amount
1.	Eileen		Flecha			\$2,000,000.00	\$2,000,000.00

TOTALS

\$2,000,000.00 **\$2,000,000.00**